

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

Robert Paul Houston

Case No.

4:21-mj-2548*Defendant(s)*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 7, 2021 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 2252A (a)(5)(B)

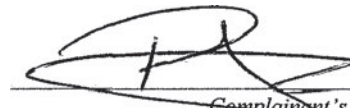
Possession of Child Pornography

18 U.S.C. § 2252A (a)(2)(B)

Distribution of Child Pornography

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Robert J. Guerra, FBI Special Agent

Printed name and title

Sworn to before me telephonically.

Date: December 02, 2021

*Judge's signature*City and state: Houston, Texas

Dena Hanovice Palermo, United States Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN THE MATTER OF:

Robert Paul Houston

§
§

4:21-mj-2548

Case No. _____

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Robert J. Guerra, being duly sworn, depose and state:

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI), assigned to the Special Agent in Charge (SAC), in Houston, Texas. I have been so employed since November 2005. As part of my daily duties as an FBI agent, I am assigned to the FBI Houston Child Exploitation unit, which investigates criminal violations relating to child exploitation and child pornography, including violations pertaining to the illegal production, distribution, receipt and possession of child pornography, in violation of Title 18 U.S.C. § 2251 and 2252A et seq. I have received training in the area of child pornography and child exploitation. I have had the opportunity to observe and review numerous examples of child pornography in all forms of media including computer media. Child Pornography, as defined in 18 U.S.C. § 2256, is:

“any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where – (A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; . . . [or] (C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.” For conduct occurring after April 30, 2003, the definition also includes “(B) such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct.”

2. This Affidavit is made in support of a criminal complaint charging Robert Paul Houston with violating Title 18 U.S.C. § 2252A (a)(5)(B) & (a)(2)(B) – possession and distribution of child pornography. I am familiar with the information contained in this Affidavit based upon the investigation I have personally conducted and my conversations with other law enforcement officers involved in this investigation, or who have engaged in numerous investigations involving child pornography.

3. Because this Affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause that evidence of a violation of Title 18 U.S.C. § 2252A (a)(5)(B) & (a)(2)(B) has been committed by Robert Paul Houston beginning on or about April 7, 2021. Where statements of others are set forth in this Affidavit, they are set forth in substance and in part.
4. On April 13, 2021, The National Center for Missing and Exploited Children (NCMEC) received a complaint via their CyberTipLine from Google. CyberTip Report 88912857 was reported to the NCMEC CyberTipLine by Google as a result of 89 video/image files depicting child exploitation material being uploaded to the Google servers via Google Photos and/or Google Drive. The user responsible for uploading the suspected child exploitation material was utilizing the verified email address roberthouston299@gmail.com as well as the verified telephone number 346-260-6888. The user also provided a date of birth of January 9, 1980. Google indicated the telephone number 346-260-6888 was verified on April 10, 2021. Google provided several IP addresses the user utilized to login in to the above captioned account. The date range for the IP addresses are from August 14, 2020, to April 11, 2021.
5. According to CyberTip Report 88912857, several of the files that were uploaded to the Google servers by the user with the verified email address roberthouston299@gmail.com contained hash values that have been confirmed by NCMEC as files consistent with known child pornography. Upon further review, it appears there are a total of eleven (11) CyberTips associated with the same user uploading suspected child exploitation material to the Google servers via Google Photos and/or Google Drive. Google noted that not all the images/videos were viewed by the company prior to submitting the information to NCMEC. Google did however view at least five (5) of the images and videos as a part of their submission to NCMEC. All of the files viewed by Google were uploaded to their servers on April 7, 2021.
6. I have reviewed the files provided by NCMEC relating to CyberTip Report 88912857. The files reviewed were marked as being viewed by Google prior to submission of the CyberTip, the files marked as not viewed by Google were not used in support of this affidavit. After my review, it was determined that all of the image and video files depict child pornography as defined by Title 18, United States Code, Section 2256. Below is a description of four (4) files that meet the federal definition of child pornography that were uploaded to

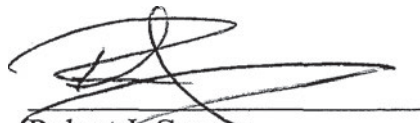
the Google servers by user utilizing the email address roberthouston299@gmail.com:

- a.) **simone 7yr.mp4** - This is a video file that is 1 minute and 47 seconds in length depicting a minor female, who appears to be under the age of 12. The minor female can be seen being orally penetrated by an adult male's penis.
 - b.) **5.avi** - This is a video file that 36 seconds in length depicting a minor male and a minor female, both of whom appear to be under the age of 14. The minor male can be seen performing oral sex on the minor female.
 - c.) **Frana.mp4** - This is a video file that is 5 minutes in length depicting a minor female, who appears to be under the age of 10. The minor female can be seen being orally penetrated by an adult male's penis. The minor female can also be seen being vaginally penetrated by an adult male's finger.
 - d.) **project-one1DogStyle.mp4** - This is a video that is 2 minutes and 25 seconds in length depicting a minor female, who appears to be under the age of 8. The minor female can be seen being anally penetrated by an adult male's finger.
7. The telephone number 346-260-6888 was found to be serviced by Metro PCS, which is operated by T-Mobile US. An administrative subpoena was served on T-Mobile US requesting information relating to the subscriber utilizing the telephone number 346-260-6888. T-Mobile US confirmed the subscriber as Robert Paul Houston with the billing address 5530 Ridgedale Drive, Houston, Texas.
 8. Searches of open-source and law enforcement sensitive databases revealed Robert Paul Houston has a date of birth of January 9, 1980. The same open-source database shows Houston's current address as 1632 Aldine Mail Route Road, Trailer Number 20, Houston, Texas 77039 as well as a previous address located on Ridgedale Drive located in Houston, Texas.
 9. A check of the Texas Department of Public Safety (DPS) Sex Offender Registry website showed Robert Paul Houston, date of birth January 9, 1980, being a registered sex offender residing at 1632 Aldine Mail Route Road, Trailer Number 20, Houston, Texas 77039. Houston was last verified on December 31, 2020. According to the Texas DPS Sex Offender Registry database, Robert Paul Houston has been residing at the address located on Aldine Mail Route Road since December 2020. 5530 Ridgedale Drive, Houston, Texas was listed as one of the addresses where Houston had registered previously, which was the same address

T-Mobile US provided as the billing address for the user assigned the telephone number 346-260-6888. As a part of his registry, Houston also provided the email address roberthouston299@gmail.com to authorities as one of his active email addresses beginning on February 2020.

10. A National Crime Information Center (NCIC) criminal history check was conducted for Robert Paul Houston. NCIC records indicated that Robert Paul Houston was convicted in Hockley County, Texas in 2000, for Aggravated Sexual Assault of a Child and was subsequently sentenced to seven (7) years.
12. On December 1, 2021, FBI Houston executed a federal search warrant at a certain address located on Aldine Mail Route Road, Houston, Texas. Upon the execution of said search warrant authorized by United States Magistrate Judge Christina A. Bryan, agents identified and interviewed Robert Paul Houston.
13. After being advised of his *Miranda Rights*, Houston agreed to make a statement. Houston stated that he had been residing in his current residence with his wife for approximately one year. Houston acknowledged he had previously utilized the email of roberthouston299@gmail.com. Houston also admitted to previously utilizing the telephone number 346-260-6888. Both the email address and telephone number acknowledged by Houston are the same as the email address and telephone number provided by Google in CyberTip Report 88912857 as described in paragraph 4.
14. Houston admitted to accessing hyperlinks that contained child exploitation material on multiple occasions over a span of several days. Houston explained that he came across the hyperlinks containing child pornography as a result of conducting internet searches for ways to purchase a firearm in order to commit suicide. Houston regarded the instances of accessing the child pornography content to be accidental.

15. Based upon the information delineated above, I believe that probable cause exists for the issuance of a Criminal Complaint charging Andrew Sanchez with a violation of Title 18 U.S.C. § 2252A 2252A (a)(5)(B) & (a)(2)(B) – possession and distribution of child pornography.



Robert J. Guerra
Special Agent, FBI

Subscribed and sworn to before me, via telephone, this 2nd of December 2021 and I find probable cause.



Dena Hanovice Palermo
United States Magistrate Judge